

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION (LODG.) NO.179 OF 2005

G.K.W. Limited ..Petitioner.

Vs.

Regional Provident Fund

Commissioner & anr. ..Respondents.

and

Rashtriya Kamgar Sanghatana ..Intervenor.

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Mr. C.U. Singh i/b M/s. Khaitan & Jayakar for the
Petitioner.

Mr. M.S. Karnik for Respondent No.1.

Mr. G.S. Baj for Respondent No.2.

Mr. R.D. Bhat for the Intervenor.

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CORAM : DR.D.Y.CHANDRACHUD, J.

25th January, 2005.

P.C. :

In as much as the order of the Assistant
Provident Fund Commissioner under Section 7-A of
the Employees Provident Fund and Miscellaneous
Provisions Act, 1952 (Exh.G) dated 14th October,
2004 is an appealable order under the provisions of

Section 7-I, counsel for the Petitioner states that an appeal shall be filed before the appellate authority within a period of one week from today. It will be open to the Petitioner to move the appellate authority for appropriate orders of interim relief including such directions as the appellate authority may consider it appropriate to issue, after hearing the parties in regard to the recovery which has been made by the Provident Fund Commissioner in pursuance of his notice dated 10th January, 2005 (Exh.M).

The appellate authority is requested to take up the application for interim relief expeditiously in order to endeavour disposal thereof within a period of four weeks on the institution of the application for interim relief. In the meantime, until the application for interim relief is decided, the Respondents are directed not to pursue any coercive steps by making any further recovery, with a view to enable the Petitioner to espouse the appellate remedy. The Writ Petition is accordingly disposed of.